

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu Oct 19, 2023 4:00 PM - 7:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:02 PM on Thursday, October 19, 2023 by the Chairman of the Board, Tyson Judy.

2. Board's Mission

Chairman Judy stated the Board's purpose, mission and vision.

The purpose of the Board is to safeguard the public health, safety and welfare by regulating persons engaged in the practice of medical imaging.

The Board's Mission is to be the driving force behind the highest quality imaging and radiation safety standards in West Virginia through the licensure of educationally prepared and clinically competent professionals.

The Board's Vision is to ensure public safety through a highly skilled and qualified workforce across the entire state of West Virginia providing quality imaging and radiation therapy services in every community and clinical setting.

3. Guests

Chairman Judy noted that there were no guests in attendance.

4. Attendance

Board members in attendance were Chairman Tyson Judy, Secretary Dee Workman, Kristi Barnett, Jeffrey Jones, Todd Resley, MD, Erin Butcho, MD and Brian Martin.

Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance. Tuanya Layton was excused.

5. Agenda

Mr. Jones made a motion to accept the agenda as presented. Ms. Barnett seconded the motion and the Board concurred.

6. Board Meeting Minutes

A motion was made by Ms. Barnett to approve the September 21, 2023 board meeting minutes. Ms. Martin seconded the motion and the Board concurred.

The September 21, 2023 board meeting minutes were posted to the Board's website for public availability.

7. Old Business

a. Chapter 30 Licensing Board Annual Seminar

Chairman Judy reminded the board members and staff that funds have been approved to attend the Chapter 30 Licensing Board Annual Seminar on November 2, 2023 at the Holiday Inn and Suites in South Charleston, WV.

Chairman Judy noted that Director Browning, Chairman Judy, Ms. Layton and Ms. Barnett are registered to attend.

b. WVSRT Annual Conference

Chairman Judy reminded the board members and staff that funds have been approved to attend the 2023 WVSRT Annual Conference at the Lakeview Resort in Morgantown, WV on November 9-11, 2023 .

Chairman Judy noted that Director Browning, Chairman Judy, Secretary Workman, Ms. Layton, Mr. Martin, and Ms. Barnett are registered to attend.

c. 2024 FARB Forum

Chairman Judy reminded the board members and staff that funds have been approved to attend the 2024 FARB Forum January 25 - 28, 2023 in Fort Worth, TX.

d. WV Legislative Auditor's Performance Evaluation & Research Division - 2023 Regulatory Board Review

Chairman Judy reported that himself, Secretary Workman, Ms. Layton, Ms. Barnett and Director Browning met with the WV Legislative Auditor's Performance Evaluation & Research Division to discuss the 2023 Regulatory Board Review on February 22, 2023.

Chairman Judy also reported that the WV Legislative Auditor's Performance Evaluation & Research Division would be requesting additional information as the regulatory review proceeds.

e. Board Member Openings

Chairman Judy reported that there is a Radiologist Board Member position available and that the information is available at <https://wvrtboard.gov/Career-Opportunities>.

f. Telehealth Rules

Chairman Judy reported that our Telehealth Rules were out for public comment June 21, 2023 - July 22, 2023. Chairman Judy also stated that our rules are tentatively scheduled with the Legislative Rule-Making Committee on 11/1/2023.

8. Ethics

Chairman Judy reported that the Ethics Committee, consisting of himself, Director Browning, Secretary Workman and AG Marshall had an informal meeting via video conferencing on October 19, 2023 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 10-FY-2023, 01-FY-2024, 02-FY-2024 and 03-FY-2024.

a. Executive Session

A motion was made by Mr. Jones to enter into executive session at 4:08 PM to discuss Ethics cases 04-FY-2022, 10-FY-2023, 01-FY-2024, 02-FY-2024 and 03-FY-2024. The motion was seconded by Mr. Martin. After review of all available information the Board unanimously concurred.

A motion was made by Mr. Jones to exit out of executive session at 4:27 PM. The motion was seconded by Mr. Martin. The Board unanimously concurred.

b. 04-FY-2022

Chairman Judy reported that 04-FY-2022 has entered into a consent agreement with a mandatory discipline program until 4/21/2025. Chairman Judy presented the board with the WV Pharmacy Resource Network Discipline Program quarterly update for review and discussion.

No action was taken.

c. 10-FY-2023

Chairman Judy reported that a Summary Suspension Order had been issued on 5/25/2023 and a Hearing has held on 9/7/2023.

No action was taken.

d. 01-FY-2024

Chairman Judy reported that an ARRT Subpoena was issued and the redacted information was received.

Chairman Judy reported that an information request was mailed to the licensee via certified mail with no response.

Ms. Barnett made a motion to send another information request with a copy sent to his attorney. The motion was seconded by Mr. Martin. After review of all available information, the Board unanimously concurred.

e. 02-FY-2024

Chairman Judy reported that the ethics committee met with the licensee that failed a pre-employment drug screen for a travel assignment in West Virginia. Chairman Judy reported that she provided a letter from her physician and a prescription for her medications.

Ms. Barnett made a motion to dismiss the case. The motion was seconded by Mr. Martin. After review of all available information, the Board unanimously concurred.

f. 03-FY-2024

Chairman Judy reported reported that the ethics committee met with the licensee and her supervisor that both admitted to the licensee working on an expired license.

A motion was made by Ms. Barnett to offer a consent agreement with public reprimand and reimbursement of all administrative fees. After review of all available information, the motion was seconded by Mr. Martin and the Board unanimously concurred.

9. Financial Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on October 19, 2023 to review the September 2023 financial reports.

Chairman Judy reported that the September 2023 ending cash balance was \$483,446.08 with \$23,204.00 in total revenue and \$15,341.09 in total expenditures. Chairman Judy recommended approval.

Mr. Jones made a motion to approve the September 2023 financial report as presented. After review of all available information, Dr. Resley seconded the motion and the Board unanimously concurred.

10. Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on October 19, 2023 to review the September 2023 Purchasing Card reports.

Chairman Judy reported that there were \$142.12 in purchases and recommended approval.

Mr. Martin made a motion to approve the September 2023 Purchasing Card report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

11. Director's Reports

Mr. Jones made a motion to approve the September 2023 Director's Report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

12. Medical Imaging Schools Report

Secretary Workman made a motion to approve the Medical Imaging Schools Report as presented. After review of all available information, Mr. Jones seconded the motion and the Board unanimously concurred.

13. BRIM Liability Insurance Questionnaire

Chairman Judy reported that the BRIM Liability Insurance Questionnaire was submitted as requested. No action taken.

14. Purchasing Audit

Chairman Judy reported that the Purchasing Audit expenditures were submitted as requested. No action was taken.

15. Review Child Support Licensing Questions

Dr. Resley made a motion to take no action as the questions comply with WV Code Section 48-15-303. After review of the Child Support Licensing Questions, Mr. Martin seconded the motion and the Board unanimously concurred.

16. Review Compensation Law Licensing Questions

Dr. Resley made a motion to take no action as the questions comply with WV Code Section 21A- 2-6 (18) and CSR Section 96-1-3. After review of the Compensation Law Licensing Questions, Mr. Martin seconded the motion and the Board unanimously concurred.

17. Upcoming Meetings

Mr. Jones made a motion to have the next Board meeting on November 16, 2023. Secretary Workman seconded the motion and the Board concurred.

18. Adjournment

Secretary Workman made a motion to adjourn at 4:36 PM, Mr. Jones seconded the motion and the Board concurred.